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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,206	06/28/2001	Robert A. Koch	60027.0008US01	7102

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EXAMINER

JAROENCHONWANIT, BUNJOB

ART UNIT PAPER NUMBER

2143

DATE MAILED: 06/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/894,206

Applicant(s)

KOCH ET AL.

Examiner

Bunjoo Jaroenchonwanit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. In response to the amendment filed 03/09/2005, claims 1-16 and 18-20 are pending for examination. The rejection cited are as stated below.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 1-9 and 13-15 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Perrone (US. 6,157,705) and Ronen (US 5,745,556).
4. Regarding claims 1 and 12, Perrone discloses an IVR system comprising a server that is capable of providing visual information and audible information, at the same time, which functions equivalently to a Visual Interactive Voice Response (VIVR) system that delivering information to users during a VIVR session, comprising: a network element operative to: receive a VIVR session identifier (session ID) associated with a networking device; receive a directory number associated with a telecommunications device; and determine whether the session ID associated with the networking device includes the directory number associated with the telecommunication device; and a VIVR Server operative to send voice-based information to a telecommunications device and to send visual-based information to the networking device, in response to the receipt of a VIVR session request; if the session ID associated with the networking device includes the directory number associated with the telecommunications device (Fig. 1B, illustrated a servers system, incorporated for providing functionalities in response to a client request; Col. 6, lines 34-66; Col.7, lines 10-46; Col. 8, lines 21-36; Col. 8, line 64-Col. 9, line 39; Col.12, lines. 34-45). The system also provides session ID an associated session ID and concurrently store unique ID of incoming call, the unique ID, *inter alia*, includes port number for

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connecting to a telephone or other voice device (col. 9, line 5-7). Perrone does not explicitly communicate the directory or telephone number, as part of its' unique ID.

However, communicate session number and directory number from clients' device to server or vice versa is not a new idea. Ronen, in the same field of endeavor, teaches clients must submit both session number along with directory number to access certain information from the server (col. 8, lines. 26-29), and suggests the same could be used for authentication (col. 8, lines 32-55).

Thus, incorporate the use of directory or telephone number with a similar system as taught by Perrone for authentication purpose as suggested by Robin or being motivated by other benefits such as, simplifying account activation, providing callback feature, etc., would have been obvious to one of ordinary skill in the art at the time of the invention was made to do so in order to achieve the benefits as stated above.

Claim 12 recites similar limitation, is rejected by the same rationale.

5. Regarding claims 2-4, Perrone-Ronen discloses the VIVR session is initiated, in response to a determination that the networking device can be connected to the VIVR Server via a VIVR Server host website (Perrone - Col. 9, lines 9-39).

6. Regarding claim 5, Perrone-Ronen discloses the VIVR Server determines an identity of the networking device by obtaining the session ID from a session identification number database (Perrone - Col. 8, lines 21-36; Col. 8, line 64-Col. 9, line 39).

7. Regarding claim 6, Perrone-Ronen discloses the networking device and the telecommunications device are the same device (Perrone - Device 4, Fig. 2b, is capable of function both applications, e.g., phone application and browser).

8. Regarding claim 7, Perrone-Ronen discloses the networking device is capable of communicating in accordance with a Transport Control Protocol/Internet Protocol (TCP/IP) protocol (Perrone - device 4, Fig. 2b communicate over Internet (IP) using TCP/IP suite protocol).

9. Regarding claim 8, Perrone-Ronen discloses the telecommunications device is capable of communicating in cooperation with an Advanced Intelligent Network, in accordance with a Signaling System 7 (SS7) protocol (Perrone - Fig. 1 shown telephone connected to PSTN network, which is capable of communicate over SS7, seems to be inherent feature, since telephone network at the time Perrone's invention was made SS& had readily been adopted for telephone network).

10. Regarding claim 9, Perrone-Ronen discloses the VIVR session request is a DTMF key code entry received from the telecommunications device (Perrone - session is established using call signaling from telephone, Col. 8, lines 65-67).

11. Regarding claims 13-15, Perrone-Ronen discloses a method for simultaneously delivering voice-based information and visual-based information to a user, the method comprising the steps of: establishing an Internet connection between the user and a server; establishing a telephonic connection between the user and the server; delivering the voice-based information to the user over the telephonic connection; delivering the visual-based information to the user over the Internet connection; and modifying the delivery of the voice-based information in response to receiving a user instruction over the Internet connection (Perrone - Col.12, lines 36-45).

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12. Claims 10-11, 16 and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perrone-Ronen, as applied to claims 1-9, and 12-15 above, in view of what was well known in the art [exemplified by Bardy and Sandaram et al.]

13. Regarding claims 10-11, 16, Perrone-Ronen discloses the invention substantially, as described in the rejection of claim 1, including using IVR server as a gateway for voice interaction. Perrone does not explicitly state the used of a specific VXML. Official Notice is taken that VXML is a well known standard, which had been developed simplifying the using is voice recognition or voice interaction applications (see Bardy, Other Publications section and reference section Col. 15 Lines 6-45 ; Sandaram abstract and figure on front page, for the well-known assertion). Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to use a well-known standard software, in which has been designed for the particular purpose, if it was not done so, with the motivation of gaining system designing simplicity.

14. Regarding claims 18-19, Perrone-Ronen and well-known art discloses making a determination that a Session Identification Number (Session ID) exists in a Session ID Database (Col. 8, lines 21-36; Col. 8, line 64-Col. 9, line 39).

15. Regarding claim 20, Perrone-Ronen and well-known art, discloses the delivery of the voice-based information and the delivery of the visual-based information is coordinated, by modifying a future delivery of voice-based information and modifying a future delivery of visual-based information, in accordance with the first user instruction and in accordance with the second user instruction (Perrone - Col.12, lines 36-45).

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16. Applicant's arguments with respect to claims 1-16 and 18-20 have been considered but are moot in view of the new ground(s) of rejection. In the remark applicant argued in substance that, first, Perrone failed to teach transmitting DN number in or with a packet or session ID and, second, applicant requests document support Examiner's taken Official Notice. Both issues have been addressed in the claims' rejection above.

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

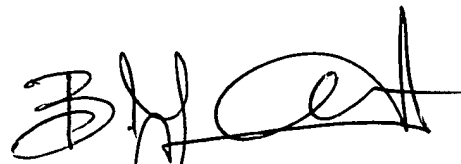
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bunjob Jaroenchonwanit whose telephone number is (571) 272-3913. The examiner can normally be reached on 8:00-17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Bunjob Jaroenchonwanit', is positioned above the printed name.

Bunjob Jaroenchonwanit
Primary Examiner
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/bj
5/29/05